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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/020,098   | 12/18/2001  | Toshiaki Tanaka      | 016887-1056         | 9934             |
| 22428  | 7590        | 03/16/2005           | EXAMINER            |                  |
| FOLEY AND LARDNER<br>SUITE 500<br>3000 K STREET NW<br>WASHINGTON, DC 20007 |             |                      | WU, JINGGE          |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2623                |                  |
| DATE MAILED: 03/16/2005  |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |
|------------------------------|------------------------|---------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|                              | 10/020,098             | TANAKA, TOSHIAKI    |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |
|                              | Jingge Wu              | 2623                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 December 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4,7-10 and 13-18 is/are rejected.
- 7) Claim(s) 5,6,11 and 12 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____.   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/9/2002</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

***DETAILED ACTION***  
***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(e) the invention was described in--  
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or  
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1, 3-4, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6823084 to Myers et al.

As to claim 1, Myers discloses a method of extracting text information from a moving image (video image) (abstract), comprising the steps of:

generating moving image information (video image or frames) by photographing an object to be photographed (any object contained text), which contains text (fig. 2, 210, col. 3 line 26; col. 4 lines 39-48);

extracting a still image contained in the moving image information (fig. 2, 220, col. 4 lines 51-59, note that detecting and locating text region is inherent to extract a still image from video sequence (moving image));

identifying a text region contained in the still image (fig. 2, 220, col. 4 lines 51-col. 5 line 19, note that identifying a text region is the same as identifying a rectangle region containing text); and

converting image information of the identified text region into text information (fig. 2, 250, col. 6 lines 5-19).

As to claims 3 and 4, Myers further discloses a method according to claim 1, wherein the step of extracting the still image contained in the moving image information comprises the steps of:

extracting a still image having a moving rate not more than a predetermined value of an image contained in the moving image information (col. 4 lines 39-49 note that it is inherent for a video frame sequence having a predetermined moving rate, e.g. 24 frames/second, and extracting a still frame from the sequence); and

storing the extracted still image in a memory that is computer readable medium (fig. 1, 111).

As to claims 13-15, the claims are corresponding apparatus claims to claim 1, 3-4, respectively. The discussions are addressed with regard to claims 1, 3-4.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Myers in view of US 6687420 to Matsuda et al.

As to claim 2, Myers does not disclose the steps of checking if the object to be photographed is set on a document table; and if not, giving an alarm, otherwise photographing the object.

Matsuda, in an analogous environment, discloses the steps of:  
    checking (detecting distortion) if the object to be photographed is set on a document table (col. 10 lines 48-55);  
    making display (issuing alarm) for prompting an operator to set the object to be photographed when the object to be photographed is not set (fig. 20a and 21a, col. 10 line 56-col. 11 line 10); and  
    generating the moving image information by photographing the object to be photographed, which is set on the document table (fig. 20b and 21b, col. 10 line 56-col. 11 line 10).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the scheme of Matsuda in the method of Myers in order to obtain non-distorted image from photographing object such as books (Matsuda, col. 1 line 41-col. 2 line 13).

Claim 7, 9-10 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myers in view of JP2001-325401A to Sugawara.

As to claim 7, Myers discloses a method of extracting text information from a moving image (video image) (abstract), comprising the steps of:

generating moving image information (video image or frames) by photographing an object to be photographed (any object contained text), which contains text (fig. 2, 210, col. 3 line 26; col. 4 lines 39-48);

extracting a still image contained in the moving image information (fig. 2, 220, col. 4 lines 51-59, note that detecting and locating text region is inherent to extract a still image from video sequence (moving image));

identifying a text region contained in the still image (fig. 2, 220, col. 4 lines 51-col. 5 line 19, note that identifying a text region is the same as identifying a rectangle region containing text); and

converting image information of the identified text region into text information (fig. 2, 250, col. 6 lines 5-19).

Myers's system can clearly be used as a server side operation.

However, Myers does not explicitly mention photographing a book page and sending the page via communication links that is well known in the art.

Sagawara, in an analogous environment, discloses a book photographing and send the photographed book page via internet (abstract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the scheme of Sagawara in the method of Myers in order to obtain photographed book page image and transmit it to Mayers's station to obtain clear text content (Sagawara, abstract).

As to claims 9-10, the discussions are addressed with regard to claims 3-4.

As to claim 16-18, the claims are corresponding apparatus claims to claim 7, 9-10, respectively. The discussions are addressed with regard to claims 7, 9-10.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Myers and Sagawara, and further in view of Matsuda.

As to claim 8, the discussions are addressed with regard to claim 2. An analogous argument with regard to combining Myers, Sagawara and Matsuda is addressed with regard to claim 2.

#### ***Allowable Subject Matter***

Claims 5-6, 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **Contact Information**

Any inquiry concerning this communication or earlier communications should be directed to Jingge Wu whose telephone number is (703) 308-9588. He can normally be reached Monday through Thursday from 8:00 am to 5:30 pm. The examiner can be also reached on second alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to TC customer service whose telephone number is (703) 306-0377.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Amelia Au, can be reached at (703) 308-6604.

Jingge Wu  
Primary Patent Examiner